IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(Crl.).No. 239 of 2007(S)

PETITIONER:

PRADEEPAN HARIHARAN, AGED 29 YEARS,
S/O.HARIHARAN, RESIDING AT: RAGADEEP,
KOORKANCHERY, TRICHUR - 7.

BY ADV. SMT.D.HEERA
SMT.R.R.REJITHA

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE,
MATHILAKAM POLICE STATION,
NEAR KODUNGALLOOR, TRICHUR DT.

2. VANPARAMBIL SAHADEVAN,
PERINJANAM P.O., KODUNGALLOOR.

3. SMT.JALAJAM,
VANPARAMBIL HOUSE, PERINJANAM P.O.,
KODUNGALLOOR.

4. SAJESH, VANPARAMBIL HOUSE,
PERINJANAM P.O., KODUNGALLOOR.

5. HARSHITHA, VANPARAMBIL HOUSE,
PERINJANAM P.O., KODUNGALLUR.

6. THE CIRCLE INSPECTOR OF POLICE,
CIRCLE VALAPPAD STATION,
KODUNGALLOOR.

R1 & R6 BY G.P. SRI. C..M. KAMMAPPU
BY ADV. SRI.C.PRABIN BENNY

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE MARRIAGE CERTIFICATE NO. 912 DATED 24.9.2007 ISSUED BY THESECRETARY, SREE NARAYANA BHAKTHA PARIPALANA YOGAM, ATTACHED TO THE SREE MAHESWARA TEMPLE, KOORKANCHERY, TRICHUR 7

EXT.P2 TRUE COPIES OF SOME OF THE PHOTOGRAPHS TAKEN ON THE OCCASION OF THE MARRIAGE HELD ON 24TH OCTOBER, 2007

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

P.R. RAMAN & V. K. MOHANAN, JJ.

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W.P.(CRL) NO. 239 OF 2007

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DATED THIS, THE15TH DAY OF OCTOBER, 2007.

J U D G M E N T

Raman, J.

This writ petition is filed by one Pradeep Hariharan alleging that he married the 5th respondent Harshitha on 24.9.2007 and now she is under the illegal custody of her parents. Pursuant to the notice issued, the parties appeared. Prima facie, the custody of the parents cannot be said to be illegal unless it is shown otherwise by adducing proof thereof. Based on the interaction with the alleged detenue Ms. Harshitha, we are satisfied that she is not under the illegal custody of Respondents 2 to 4 as alleged in the writ petition. She has stated that she wants to pursue her studies. We have also gave her an opportunity to talk with the petitioner and thereafter also we have interacted with her. She positively stated that she wants to go with her parents. In such circumstances, she, being a major, is set free.

The writ petition is closed.

P.R. RAMAN,
(JUDGE)

V. K. MOHANAN,
(JUDGE)

knc/-